

PATENT

(Practitioner's Docket No. IN-9514)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

David L. ABUNDIS et al.

US Serial No. Herewith

Filed: October 27, 2003

Group Art Unit: Not Assigned

Examiner: Not Assigned

For: METHOD OF MAKING A PAPER COATING USING A BLEND OF A
VINYL AROMATIC-ACRYLIC POLYMER DISPERSION WITH A
VINYL AROMATIC-DIENE POLYMER DISPERSION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

- ☒ Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

- ☐ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except as indicated below:
- ☒ Legible copies of all items listed on Form PTO-1449 accompany this information statement, except Copies of U.S. patents, patent applications, and publications as indicated below:
- ☐ Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [], filed on []. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:
- ☐ In accordance with 37 C.F.R. §1.98(c), a copy of only [] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

- ☐ Application Serial No. [] was published as Publication No. []. The Bibliographic information for this publication is correct, but the abstract, specification, and claims are not those of []. Therefore, the bibliographic page for Publication No. [] is provided with a copy of the specification as filed for [].

FOREIGN LANGUAGE DOCUMENTS

- ☐ There are no foreign language documents listed on Form PTO-1449.
- ☐ The following non-English language references were cited in the specification. The English language equivalents for these references are being submitted in substitution for the non-English references.
- ☒ English language abstract for the following non-English references are enclosed.

English Language Abstract from EPO for EP600801, 1994-06-08.

Derwent Accession No. 1986-115663, English language abstract for JP61055289, 1986-03-19.

Derwent Accession No. 1988-365296, English language abstract for JP63275791, 1988-11-14.

Derwent Accession No. 1989-312514, English language abstract for JP01229894, 1989-09-13.

Derwent Accession No. 1990-243088, English language abstract for JP02169800, 1990-06-29.

Derwent Accession No. 1993-278838, English language abstract for JP05195493, 1993-08-03.

Derwent Accession No. 1994-186730, English language abstract for JP06123100, 1994-05-06.

Derwent Accession No. 1994-222109, English language abstract for JP06157821, 1994-06-07.

Derwent Accession No. 1997-122887, English language abstract for JP09005931, 1997-01-10.

Derwent Accession No. 2000-313103, English language abstract for JP2000095995, 2000-04-04.

Derwent Accession No. 2001-276215, English language abstract for JP2001040314, 2001-02-13.

Derwent Accession No. 1995-262348, English language abstract for RU2027816, 1995-01-27.

Polymer Dispersions and Their Industrial Applications, Edited by Dieter Urban et al., Chapter 4: Applications in the Paper Industry, by Jürgen Schmidt-Thümmes et al., pp. 75-101, Wiley-VCH, 2002

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material:

FORM PTO-1449
(MODIFIED)US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-9514

LIST OF ART CITED BY APPLICANT
(Use sever of sheets if necessary)

In re Application of: David Abundis et al.

Serial No.:

Filed: , 2003

U.S. PATENT DOCUMENTS

| Examiner initial | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|----|-----------------|----------|-------------------------|-------|----------|-------------------------------|
| | AA | 3,821,267 | 10-25-66 | Rice | | | 11-13-61 |
| | AB | 4,064,304 | 12-20-77 | Fujita et al. | | | 07-14-76 |
| | AC | 4,092,457 | 05-30-78 | Fujita et al. | | | 02-18-76 |
| | AD | 4,209,562 | 06-24-80 | Suwala et al. | | | 06-21-78 |
| | AE | 4,245,689 | 01-20-81 | Grard et al. | | | 05-02-78 |
| | AF | 4,503,184 | 03-05-85 | Marongiu | | | 07-07-83 |
| | AG | 4,567,099 | 01-28-86 | Van Gilder et al. | | | 12-21-84 |
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| | AI | 5,268,419 | 12-07-93 | Stack et al. | | | 10-31-89 |
| | AJ | 5,283,129 | 02-01-94 | Renk et al. | | | 10-21-92 |
| | AK | 5,308,890 | 05-03-94 | Snyder | | | 02-26-93 |
| | AL | 5,500,191 | 03-19-96 | DeMatte | | | 02-03-95 |
| | AM | 5,543,455 | 08-06-96 | Shah | | | 03-15-95 |
| | AN | 5,563,201 | 10-08-96 | Joanicot et al. | | | 08-18-94 |
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| | AP | 5,770,303 | 06-23-98 | Weinert et al. | | | 01-05-96 |
| | AQ | 5,824,748 | 10-20-98 | Kesti et al. | | | 06-03-96 |
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| | AW | 6,451,899 | 09-17-02 | Zhao et al. | | | 11-20-00 |
| | AX | 6,451,900 | 09-17-02 | Kuehn et al. | | | 08-10-00 |
| | AY | 2001/0023738 | 09-27-01 | Vaidya | | | 02-22-01 |
| | AZ | 2002/0061981 | 05-23-02 | Donald et al. | | | 08-31-01 |
| | BA | 2002/0061982 | 05-23-02 | Donald et al. | | | 08-31-01 |
| | BB | 2002/0146552 | 10-10-02 | Mumick et al. | | | 02-01-01 |
| | BC | 2002/0169250 | 11-14-02 | Ishihara | | | 02-28-02 |
| | BD | 2002/0185239 | 12-12-02 | Kimpimaki et al. | | | 01-08-02 |
| | BE | 2003/0195297 | 10-16-03 | Burghart et al. | | | 12-13-01 |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant has modified this form by deleting the word "prior".

| | | |
|---------------------------------------|-----------------------------|--|
| FORM PTO-1449 | US DEPARTMENT OF COMMERCE | Atty. Docket No. IN-9514 |
| (MODIFIED) | PATENT AND TRADEMARK OFFICE | |
| LIST OF ART CITED BY APPLICANT | | In re Application of: David Abundis et al. |
| (Use sever of sheets if necessary) | | |
| Serial No.: | | |
| Filed: , 2003 | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|---|----|--|----------|-----------------|-------|----------|-------------|----|
| Examiner initial | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | AA | CA984988 | 02.03.76 | Canada | | | | |
| | AB | EP600801 | 13.03.97 | Europe | D21H | 19/58 | | X |
| | AC | EP952483 | 27.10.99 | Europe | G03C | 1/79 | | |
| | AD | EP1010807 | 21.06.00 | Europe | D21H | 23/22 | | |
| | AE | GB1174274 | 17.12.69 | United Kingdom | C08F | 37/18 | | |
| | AF | JP57191392 | 25.11.82 | Japan | D21H | 1/28 | X | |
| | AG | JP61055289 | 19.03.86 | Japan | D21H | 1/28 | | X |
| | AH | JP63275791 | 14.11.88 | Japan | D21H | 1/22 | | X |
| | AI | JP01229894 | 13.9.89 | Japan | D21H | 1/28 | | X |
| | AJ | JP02169800 | 29.06.90 | Japan | D21H | 19/56 | X | |
| | AK | JP05195493 | 03.08.93 | Japan | D21H | 19/44 | X | |
| | AL | JP06123100 | 06.05.94 | Japan | D21H | 27/00 | X | |
| | AM | JP06157821 | 07.06.94 | Japan | CORL | 1/08 | X | |
| | AN | JP09005931 | 10.01.97 | Japan | GO3C | 1/91 | X | |
| | AO | JP2000095995 | 04.04.00 | Japan | GC9D | 133/06 | X | |
| | AP | JP2001040314 | 13.02.01 | Japan | C09J | 133/08 | X | |
| | AQ | WO9832920 | 30.07.98 | PCT | D21H | 21/16 | | |
| | AR | WO0104416 | 18.01.01 | PCT | D21H | 19/36 | | |
| | AS | WO0107529 | 01.02.01 | PCT | CO9G | 1/04 | | |
| | AT | WO02083785 | 24.10.02 | PCT | CO8L | 9/06 | | |
| OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | AU | English Language Abstract from EPO for EP600801, 1994-06-08. | | | | | | |
| | AV | Derwent Accession No. 1986-115663, English language abstract for JP61055289, 1986-03-19. | | | | | | |
| | AW | Derwent Accession No. 1988-365296, English language abstract for JP63275791, 1988-11-14. | | | | | | |
| | AX | Derwent Accession No. 1989-312514, English language abstract for JP01229894, 1989-09-13. | | | | | | |
| | AY | Derwent Accession No. 1990-243088, English language abstract for JP02169800, 1990-06-29. | | | | | | |
| | AZ | Derwent Accession No. 1993-278838, English language abstract for JP05195493, 1993-08-03. | | | | | | |
| | BA | Derwent Accession No. 1994-186730, English language abstract for JP06123100, 1994-05-06. | | | | | | |
| | BB | Derwent Accession No. 1994-222109, English language abstract for JP06157821, 1994-06-07. | | | | | | |
| | BC | Derwent Accession No. 1997-122887, English language abstract for JP09005931, 1997-01-10. | | | | | | |
| | BD | Derwent Accession No. 2000-313103, English language abstract for JP2000095995, 2000-04-04. | | | | | | |
| | BE | Derwent Accession No. 2001-276215, English language abstract for JP2001040314, 2001-02-13. | | | | | | |
| | BF | Derwent Accession No. 1995-262348, English language abstract for RU2027816, 1995-01-27. | | | | | | |
| | BG | Polymer Dispersions and Their Industrial Applications, Edited by Dieter Urban et al., Chapter 4: Applications in the Paper Industry, by Jürgen Schmidt-Thümmes et al., pp. 75-101, Wiley-VCH, 2002 | | | | | | |
| EXAMINER | | | | DATE CONSIDERED | | | | |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | | |

*Applicant has modified this form by deleting the word "prior".

Information Disclosure Statement
Page 3

- ☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:
- ☐ Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.
- ☐ A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:
- ☐ A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

- ☒ The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:
- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**
- ☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **\$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.
- ☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

Information Disclosure Statement

Page 4

- ☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**
- ☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**
- ☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **\$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Reg. No.: **42,906**


SIGNATURE OF ATTORNEY and DATE

Michael F. Morgan **October 27, 2003**
Type or print name of attorney

Tel. No.: (**248**) **948-2355**

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Southfield, Michigan 48034-2442

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PATENT

(Practitioner's Docket No. IN-9514)

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EXPRESS MAIL CERTIFICATE

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⁷
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Date of Deposit

October 27, 2003

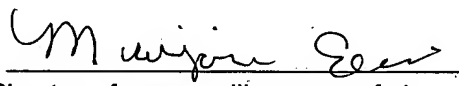
I hereby certify that the following attached paper or fee

| | |
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| x | Information Disclosure Statement |
| x | Form PTO-1449 |
| x | Cited Reference(s) except for US Patents |

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. BOX 1450, Alexandria, Virginia 22313-1450.

Marjorie Ellis

(Typed or printed name of person mailing paper or fee)



Signature of person mailing paper or fee)

Note: Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g.

complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.

Note: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing of the drawings be accompanied by a set of informal drawings on which the label number is placed.